

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

DIONA PETTIGREW,)	
)	CASE NO. 1:17CV1118
Plaintiff,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
NANCY A. BERRYHILL,)	
ACTING COMMISSIONER OF)	
SOCIAL SECURITY,)	
)	<u>MEMORANDUM OF OPINION</u>
Defendant.)	<u>AND ORDER</u>

An Administrative Law Judge (“ALJ”) denied Plaintiff Diona Pettigrew’s applications for a period of disability (“POD”), disability insurance benefits (“DIB”), and supplemental security income (“SSI”) after a hearing in the above-captioned case. That decision became the final determination of the Commissioner of Social Security when the Appeals Council denied the request to review the ALJ’s decision. The claimant sought judicial review of the Commissioner’s decision, and the Court referred the case to Magistrate Judge David A. Ruiz for preparation of a report and recommendation pursuant to [28 U.S.C. § 636](#) and [Local Rule 72.2\(b\)\(1\)](#). On June 4, 2018, the magistrate judge submitted a Report ([ECF No. 14](#)) recommending that the Court affirm the Commissioner’s decision as supported by substantial evidence and made pursuant to proper legal standards. Specifically, the magistrate judge found Plaintiff’s argument that the ALJ violated the treating physician rule by failing to ascribe appropriate weight to the opinions of Dr. Herrera, Plaintiff’s treating physician, and Ann M.

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Harrington, Plaintiff's clinical nurse specialist, is without merit. [ECF No. 14 at PageID#: 1466](#).

In addition the magistrate judge found that the ALJ did not err in assigning little weight to the opinions of Plaintiff's mental health nurses, Jeffrey Sims and Ellen Alaimo. [Id. at PageID#: 1466—67](#). Finally, the magistrate judge found the ALJ properly addressed the factors set forth in [SSR 16-3P, Evaluation of Symptoms in Disability Claims, 2017 WL 5180304 \(S.S.A. Oct. 25, 2017\)](#), and therefore, conducted a proper pain analysis. [Id. at PageID#: 1473](#).

[Fed. R. Civ. P. 72\(b\)\(2\)](#) provides that objections to a report and recommendation must be filed within 14 days after service. Objections to the magistrate judge's Report were, therefore, due on June 18, 2018. Neither party has filed objections, evidencing satisfaction with the magistrate judge's recommendations. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. [Thomas v. Arn, 728 F.2d 813 \(6th Cir. 1984\)](#), *aff'd*, 474 U.S. 140 (1985); [Howard v. Secretary of Health and Human Services, 932 F.2d 505 \(6th Cir. 1991\)](#); [United States v. Walters, 638 F.2d 947, 949-50 \(6th Cir. 1981\)](#).

Accordingly, the Report and Recommendation of the magistrate judge is hereby adopted. The decision of the Commissioner of Social Security is affirmed. Judgment will be entered in favor of Defendant.

IT IS SO ORDERED.

June 22, 2018
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge